

Applicants : Carlos Cordon-Cardo, et al.
U.S. Serial No. : 09/329,917
Filed : June 10, 1999
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Please amend the subject application as follows:

In the Claims:

Please cancel claim 1 without prejudice to applicants' right to pursue the subject matter thereof in a continuing application.

REMARKS

Claims 1-3 are presently pending. Applicants have canceled claim 1 without prejudice. No other claims have been added or canceled. Thus, claims 2 and 3 will be pending upon entry of this Amendment.

Rejection Under 35 U.S.C. §102(e)

The Examiner rejected claim 1 under 35 U.S.C. §102(e) as allegedly anticipated by Roberts et al., U.S. Patent No. 6,316,208. In response to the Examiner's rejection, but without conceding the correctness thereof, applicants have canceled claim 1, thereby rendering the rejection thereof moot.

The Examiner stated that pending claims 2 and 3 appear to be free of prior art. Accordingly, in view of the cancellation of claim 1, applicants maintain that the claims pending in this application are in condition for allowance. Accordingly, allowance is respectfully requested.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number

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provided below.

No fee, other than the \$460.00 fee for a three-month extension of time, is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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| I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents Washington, D.C. 20231. | |
| Alan J. Morrison Reg. No. 37,399 | Date <u>6/14/02</u> |